

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America
v.
THEODORE SATTERWHITE

Case No. 3:21-MJ-323

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 24, 2021 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 USC s. 922(g)(1) & 924(a)(2)

felon in possession of a firearm in and affecting commerce

This criminal complaint is based on these facts:

See Attached Affidavit of Patrick A. Bell

☒ Continued on the attached sheet.

Patrick A. Bell

Complainant's signature

Patrick A. Bell, TFO of the FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: August 26, 2021

City and state: Dayton, Ohio

Peter B. Silvain, Jr.
Peter B. Silvain, Jr.
United States Magistrate Judge



AFFIDAVIT

Patrick A. Bell, hereinafter referred to as the “Affiant”, being duly sworn, deposes as follows:

INTRODUCTION

1. Your Affiant is a Task Force Officer with the United States Federal Bureau of Investigation (FBI) within the meaning of 21 U.S.C. § 878. That is, an officer of the United States who is empowered by law to conduct criminal investigations of and to make arrests for offenses enumerated in 21 U.S.C. § 878. The information contained in this Affidavit is either personally known by your Affiant or relayed to him by other law enforcement officers involved in this investigation.
2. Your Affiant is a law enforcement officer and has been employed as such for the past twenty years. Since March 2013, your Affiant has been assigned to the FBI Dayton Field Office as a Task Force Officer (TFO). Since 2001, your Affiant has been employed as a sworn police officer with the City of Dayton, Ohio. Since 2008, your Affiant has been assigned to the investigation of narcotics and weapons offenses. As such, your Affiant has been involved in narcotics related arrests, executed search warrants that resulted in the seizure of narcotics, participated in undercover narcotics purchases, and supervised the activities of informants who have provided information and assistance resulting in narcotics purchases.
3. This affidavit is made in support of an application for a federal arrest warrant and complaint against **THEODORE SAMUEL SATTERWHITE** for being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). The facts in this affidavit are submitted for the purpose of establishing probable cause, and do not include every fact known to your Affiant.

FACTS

4. On August 24, 2021 at approximately 2030 hours, Dayton Police Officers Michael Schwartz and Luke Scott were working as a two-man crew in a marked Dayton Police cruiser during a West Patrol Operations Division Gun Reduction Initiative Operation. This operation consisted of Dayton Police Department officers, detectives, and the Ohio State Highway Patrol aviation unit. While on patrol near Gettysburg Avenue and Hoover Avenue, officers saw a white Pontiac Bonneville, Ohio license plate JLG5128, make a right

turn from Hoover Avenue to travel south on Gettysburg Avenue. While turning, the Bonneville swerved into the outer lane to avoid striking another vehicle. The driver of the Bonneville, later identified as **THEODORE SATTERWHITE**, then made two lane changes without using his turn signal. The Bonneville then rapidly increased its speed to well above the posted 35 miles per hour speed limit for Gettysburg Avenue. The cruiser attempted to catch up and conduct a traffic stop for the traffic violations. As the vehicle increased its speed to above 50 miles per hour and increased its distance from the officers, they initiated the cruiser's overhead lights and sirens to conduct the traffic stop near Gettysburg Avenue and Oakridge Drive. The Bonneville did not pull over as directed by the officers and continued south through the red light at West Third Street and Gettysburg Avenue at a high rate of speed.

5. At this point officers notified the Ohio State Patrol Aviation Unit of the vehicle's description and direction of travel. Trooper Jeff Evans advised that they had acquired visual surveillance on the vehicle. Aviation advised that the vehicle continued southbound on Gettysburg Avenue at a high rate of speed and that it disregarded multiple red-light signals. The vehicle then made a left turn onto Heatherstone Drive from South Gettysburg Avenue and pulled into the driveway of 3806 Heatherstone. The driver and lone occupant of the vehicle, wearing a white shirt and black shorts, (namely, **THEODORE SATTERWHITE**) exited the vehicle and fled into the front door of the residence.
6. As officers and detectives were arriving at the location, the aviation unit observed the same individual (**THEODORE SATTERWHITE**) that exited the vehicle now exit the backdoor and throw an item into a wooded area beyond the property. The male then went back into the residence. At this point, officers and detectives arrived on scene and established a perimeter around the residence. Officers gave commands over the cruiser public address system for the suspect to exit the residence. The described male along with a female and child exited the front door. The suspect was taken into custody with no incident. The residence was then checked, and no one else was found inside.
7. Dayton Police Detective Sean Humphrey checked the area where Trooper Evans of the Aviation Unit had seen the suspect discard the item and immediately located a .40 caliber Sig Sauer P226 handgun, serial number EAK1650004 laying in the wooded area in the spot marked by the aviation unit. The handgun was recovered and made safe. It was found to contain ten live rounds in the magazine and one in the chamber. The handgun was then

placed into the Dayton Police Department property room as evidence and sent to the Miami Valley Crime Laboratory for analysis. The Pontiac Bonneville was then inventoried prior to being towed. Officers located a black bag containing 14 grams of individually packaged marijuana. The marijuana was also placed in the property room as evidence and sent to the crime lab.

8. The suspect, identified as **THEODORE SATTERWHITE**, was placed in a Dayton Police cruiser. FBI Special Agent Bob Buzzard responded to the cruiser and interviewed **SATTERWHITE** while he was seated handcuffed in the backseat. Agent Buzzard read **SATTERWHITE** his Miranda rights in my presence. **SATTERWHITE** stated he understood his rights and would answer questions. Agent Buzzard told **SATTERWHITE** that there was aerial surveillance and that the incident would be on video. **SATTERWHITE** acknowledged possession of the gun that was recovered by Detective Humphrey in the woods beyond the property, but stated that he had never fired it. He stated that he was on Federal probation and had done about six years on the Federal case along with an Involuntary Manslaughter case in Montgomery County, Ohio, Court of Common Pleas Court. Based on these admissions, **SATTERWHITE** knew that he had been convicted of a felony offense punishable by a term of imprisonment exceeding one year. **SATTERWHITE** stated that he was driving the car and fled when he saw a cruiser pull out on him at Hoover Avenue and Gettysburg Avenue.
9. Based on my training and experience, I am aware that Sig Sauer firearms are not manufactured in the state of Ohio. As such, I conclude that this firearm previously moved in interstate and/or foreign commerce to reach **SATTERWHITE** in this state.
6. I have conducted a criminal history records check concerning **THEODORE SAMUEL SATTERWHITE**. I learned that **SATTERWHITE** has multiple prior convictions which were punishable by a term of imprisonment exceeding one year, including: (1) on or about June 30, 2009, in the Court of Common Pleas, Montgomery County, Ohio, Case number 2007CR02986, of Possession of Crack Cocaine (F4), in violation of the Ohio Revised Code; (2) on or about April 12, 2016, in the Court of Common Pleas, Montgomery County, Ohio, Case number 2014CR04075, of Felonious Assault (F2) with a deadly weapon and Involuntary Manslaughter (F3) in violation of Ohio Revised Code; and on or about May 13, 2015, in the United States District Court for the Southern District of Ohio, Case No. 14CR106TSB, of being a felon in possession of a firearm and possession with intent to distribute 28

grams or more of cocaine base. Notably, **SATTERWHITE** remains on supervised release to this Court on his prior federal case.

7. Based upon the above information, your Affiant believes that probable cause exists to conclude that, on August 24, 2021, in the Southern District of Ohio, **THEODORE SAMUEL SATTERWHITE** knowingly violated 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (felon in possession of a firearm).

Patrick A. Bell

Patrick A. Bell, Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me this 26th day of August 2021.


Peter B. Silvain, Jr.
United States Magistrate Judge

